



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 07, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 November 7, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

RESOLUTION OF SUMMARY VACATION SANITARY SEWER EASEMENT SOUTH OF 3RD STREET AND WEST OF LA VERNE AVENUE IN THE UNINCORPORATED COMMUNITY OF EAST LOS ANGELES (SUPERVISORIAL DISTRICT 1) (3 VOTES)

SUBJECT

This action will allow the County of Los Angeles to vacate an easement for sanitary sewer purposes south of 3rd Street and west of La Verne Avenue in the unincorporated community of East Los Angeles, which is no longer needed for public use. The vacation has been requested by the underlying property owner to clear the encumbrance from the property's title to allow for the construction of the East Los Angeles Community Health Care Clinic.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for sanitary sewer purposes south of 3rd Street and west of La Verne Avenue in the unincorporated community of East Los Angeles is no longer required for public use and that it may, therefore, be vacated under the authority of Section 5400 of the California Health and Safety Code.
3. Find that the easement for sanitary sewer purposes south of 3rd Street and west of La Verne Avenue in the unincorporated community of East Los Angeles has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed

vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

4. Find that the easement for sanitary sewer purposes south of 3rd Street and west of La Verne Avenue in the unincorporated community of East Los Angeles has been determined to be excess and there are no other public facilities located within the easement and that it may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for sanitary sewer purposes south of 3rd Street and west of La Verne Avenue (Easement) in the unincorporated community of East Los Angeles, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$2,323 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1,351 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easement was acquired in 1928 by Instrument No. 1692, filed in Book 8373, page 378 and by Instrument No. 1762, filed in Book 7830, page 257, both of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for sanitary sewer purposes.

Ms. Barbara Hines, on behalf of Queenscare Family Clinics, a California nonprofit corporation and underlying property owner, requested the vacation of the sewer easement in order to clear the encumbrance from the property's title and to allow for the construction of the East Los Angeles Community Health Care Clinic.

The California Health and Safety Code Section 5400 provides that a County Board of Supervisors may vacate an easement for sewage or drainage purposes whenever it determines the easement is no longer required for public use.

The California Streets and Highways Code Sections 8333(a) and (c) provide that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation or it has been determined to be excess by the easement holder and there are no other public facilities located within the Easement.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement. The Board's action will result in the property being unencumbered by the Easement and available to the property owner for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the unnecessary sanitary sewer easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

11/7/2012

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
SANITARY SEWER EASEMENT SOUTH OF 3RD STREET
AND WEST OF LA VERNE AVENUE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for sanitary sewer purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, south of 3rd Street and west of La Verne Avenue, is located in the unincorporated community of East Los Angeles in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement has been determined to be excess and there are no other public facilities located within the easement.
4. The Easement is no longer required for public use.
5. The Easement is hereby vacated pursuant to Section 5400 of the California Health and Safety Code and Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
7. From and after the date this resolution is recorded, the Easement will no longer constitute a public service easement.

The foregoing resolution was on the 7th day of November, 2012, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By

Julia Weisman
Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By

[Signature]
Deputy



RA:mr

P:\MPPUB\ADMIN\MARIA\ BOARD LETTER RESOLUTION\SOUTH 3RD ST RESOLUTION

EXHIBIT A

Project Name: **SEWER EASEMENT SOUTH OF
3RD STREET AND WEST OF
LA VERNE AVENUE 1-1VAC**
A.I.N. 5248-001-015, 016, & 017
T.G. 635-G6
I.M. 114-237
R.D. 142
S.D. 1
M1288104

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of sanitary sewer easement):

Part A

That portion of Lot 23, Block 23, Tract No. 4074, as shown on map recorded in Book 44, pages 76 and 77, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within that certain 6-foot wide strip of land described in deed to said county recorded on March 21, 1928, as Instrument No. 1692, in Book 8373, page 378, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Part B

That portion of Lot 24, Block 23 of above-mentioned tract within that certain 6-foot wide strip of land described in deed to the County of Los Angeles, recorded on April 12, 1928, as Instrument No. 1762, in Book 7830, page 257, of above-mentioned Official Records.

Total area of Parcel No. 1-1VAC having 2 parts, containing: 1,351± square feet



APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR
	Los Angeles County Department of Public Works
Dated	SEPT 27, 2012

105'

100'

3RD

ST

100'

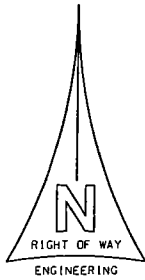
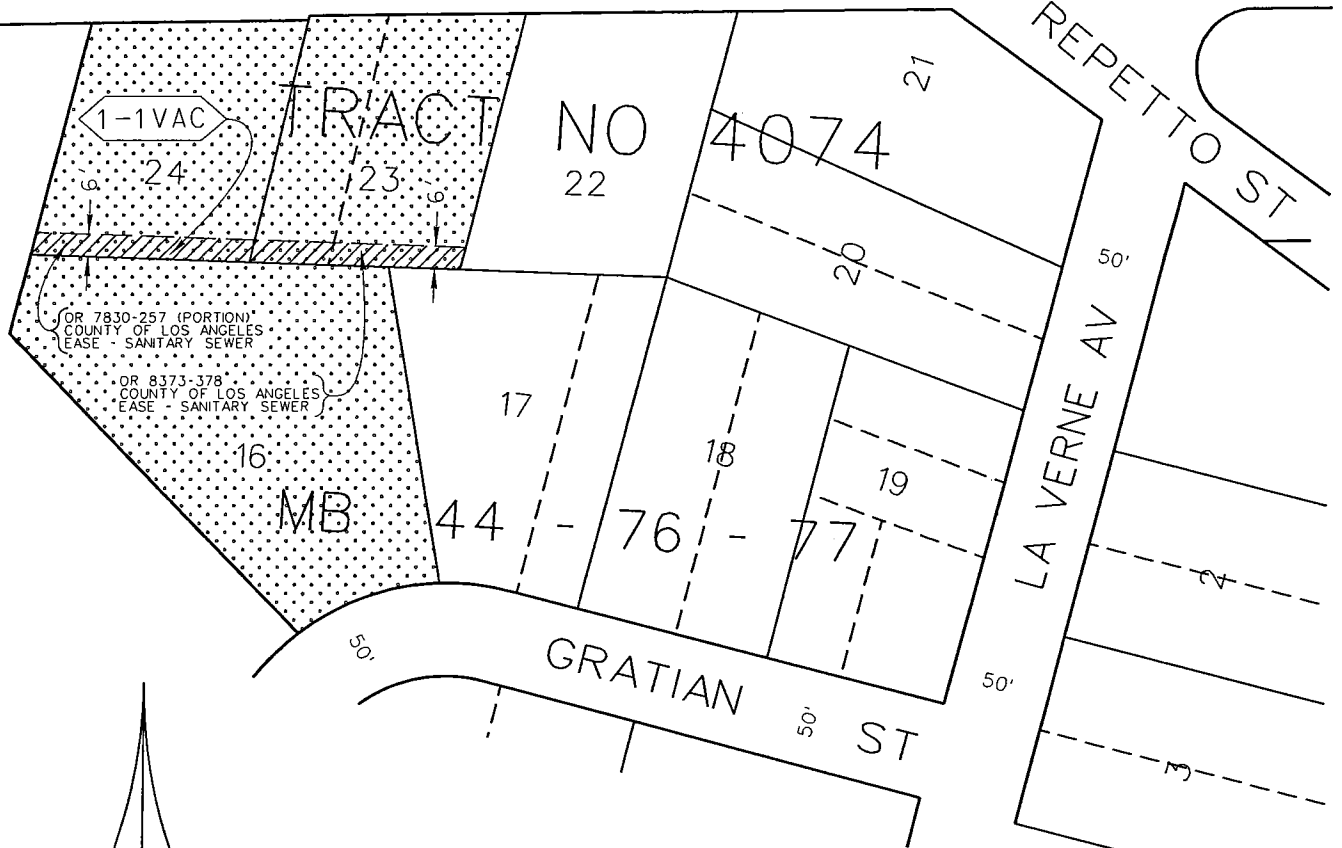
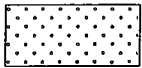


EXHIBIT B

ALL IN THE UNINCORPORATED
TERRITORY OF THE COUNTY OF
LOS ANGELES

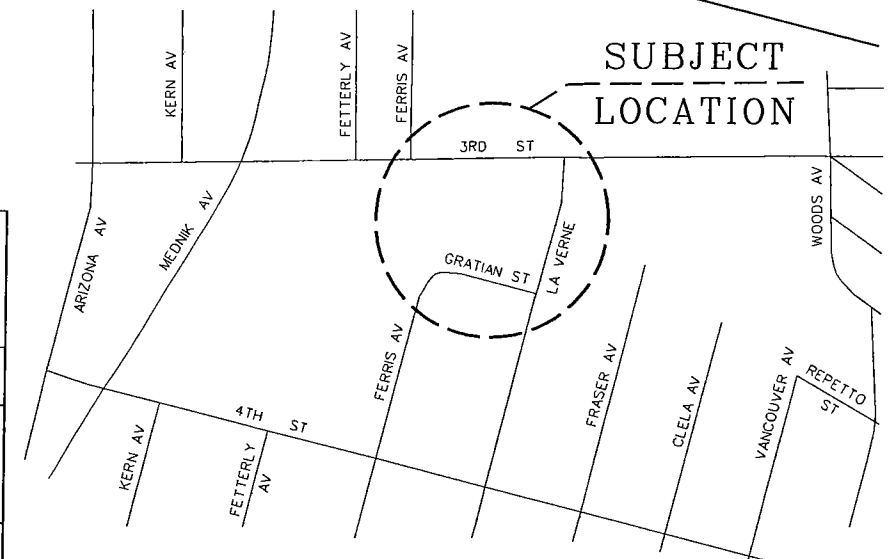
LEGEND



Applicant's property



Proposed vacation of a
sanitary sewer easement.
Total Area = 1351± SQ.FT.



REVISIONS

1.

MAP PREPARED BY: R. AVANCENA

DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD.

RD.

A.I.N.

T.G.

1

142

5248-001-015,
016, and 017

635-G6

SEWER EASE SOUTH OF
3RD STREET AND WEST
OF LA VERNE AVENUE

DRAWING NO.

M1288104

SCALE
NONE

DATE
8-28-12

I.M.
114-237